

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

In re: Equifax, Inc. Customer  
Data Security Breach Litigation

MDL Docket No. 2800  
No. 1:17-md-2800-TWT

This document relates to:

FINANCIAL INSTITUTIONS TRACK

**JOINT MOTION TO SET A SCHEDULE REGARDING THE FILING OF  
THE OPERATIVE FINANCIAL INSTITUTIONS COMPLAINT**

Defendants Equifax Inc. and Equifax Information Services LLC (collectively, “Defendants”) and the Financial Institution Plaintiffs<sup>1</sup> (collectively, with Defendants, the “Parties”) respectfully submit this Joint Motion to Set a Schedule Regarding the Filing of the Operative Financial Institutions Complaint. [Dkt. 390].

In support of this Motion, the Parties state:

1. On May 30, 2018, the Financial Institution Plaintiffs filed the Financial Institutions Complaint. [Dkt. 390].

---

<sup>1</sup> The named Financial Institution Plaintiffs are set forth in Paragraphs 12-84 of the Financial Institutions Consolidated Amended Complaint (the “Financial Institutions Complaint”), [Dkt. 390], excluding those dismissed in the Court’s Order on Financial Institution Plaintiffs’ Motion to Dismiss [Dkt. 539] and excluded from the Financial Institution Plaintiffs’ Motion for Leave to Amend the Complaint [Dkt. 941].

2. On January 28, 2019, the Court granted in part and denied in part Defendants' Motion to Dismiss the Financial Institutions Complaint (the "Motion to Dismiss Order"). [Dkt. 539].

3. On March 20, 2019, the Financial Institution Plaintiff filed a Motion For Leave to Amend the Complaint in order to address the pleading deficiencies raised by the Motion to Dismiss Order (the "Motion to Amend"). [Dkt. 648].

4. On December 18, 2019, the Court granted in part and denied in part the Motion to Amend. [Dkt. 941].

5. As a result, Plaintiffs have not filed the Proposed Amended Complaint.

6. Pursuant to the Court's February 8, 2019 Scheduling Order, Defendant's Answer the operative complaint is due thirty days following an order on the Motion to Amend. [Dkt. 550]. Thirty days after the Court's order on the Motion to Amend is January 20, 2020.

7. In order to clarify the remaining named plaintiffs and operative allegations, the Parties request that the Court enter a schedule regarding the filing of an amended complaint that conforms to the Court's Order on the Motion to Amend and for the filing of a response to that complaint.

WHEREFORE, the Parties respectfully request that the Court (1) direct Plaintiffs to file an amended complaint in conformance with the Court's orders on

the Motion to Dismiss and Motion to Amend on or before March 6, 2020, and (2) that Defendants' response to that complaint be filed on or before April 10, 2020. A proposed order is attached for the Court's consideration.

Respectfully submitted this 15th day of January, 2020.

/s/ S. Stewart Haskins II  
**KING & SPALDING LLP**  
David L. Balser  
Georgia Bar No. 035835  
Phyllis B. Sumner  
Georgia Bar No. 692165  
S. Stewart Haskins II  
Georgia Bar No. 336104  
Elizabeth D. Adler  
Georgia Bar No. 558185  
John C. Toro  
Georgia Bar No. 175145  
1180 Peachtree Street, N.E.  
Atlanta, Georgia 30309  
Tel.: (404) 572-4600  
Fax: (404) 572-5140  
dbalser@kslaw.com  
psumner@kslaw.com  
shaskins@kslaw.com  
eadler@kslaw.com  
jtoro@kslaw.com

*Counsel for Defendants*

/s/ Joseph P. Guglielmo  
(with permission)  
Joseph P. Guglielmo  
**SCOTT+SCOTT**

**ATTORNEYS AT LAW LLP**

230 Park Avenue

17th Floor

New York, NY 10169

Tel: 212-223-6444

Fax: 212-223-6334

jguglielmo@scott-scott.com

Gary F. Lynch

**CARLSON LYNCH**

1133 Penn Avenue, 5th Floor

Pittsburgh, PA 15222

Tel: 412-322-9243

Fax: 412-231-0246

glynch@carsonlynch.com

*Co-Lead Counsel for the Financial  
Institution Plaintiffs*

**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1D, the undersigned certifies that the foregoing complies with the font and point selections permitted by Local Rule 5.1B. This brief was prepared on a computer using the Times New Roman font (14 point).

DATED: January 15, 2020

/s/ S. Stewart Haskins III  
**KING & SPALDING LLP**

**CERTIFICATE OF SERVICE**

I hereby certify that on January 15, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

/s/ S. Stewart Haskins II

**KING & SPALDING LLP**